

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SHUICHI UENO, YOSHINORI OKUMURA,
SHIGENOBU MAEDA, and SHIGETO MAEGAWA

Application No. 09/429,283

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on January 6, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On May 14, 2001, appellants filed an amendment (Paper No. 11). The examiner has indicated on the amendment "to be entered." A review of the file reveals that the amendment was not physically entered. Appropriate correction is required.

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Also, in the examiner's answer (Paper No. 21; page 2, paragraph 8), mailed October 2, 2002, Claims Appealed, the examiner did not indicate the following minor error in the appendix to the brief:

Claim 14, lines 13 and 15, after "second" insert
--active--.

In addition, in the examiner's answer (Paper No. 21; page 3, paragraph 9), the examiner listed as prior art, Sony Corp., JP 4-157766. A review of the file reveals that an English translation was not provided for this reference. The examiner must acquire a complete English translation of Sony Corp. and provide a copy to the applicants before further review of this application.

Also, in paragraph 9 of the examiner's answer, the examiner has listed as prior art, Kuroi and Sze. A review of the file reveals that the reference to Sze is listed as pages 771-775 when it should read "493-494" and the reference to Kuroi should read "771-775." Appropriate correction is required.

Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) physical entry of the amendment (Paper No. 11) filed May 14, 2001; 2) correction of the minor error in the appendix to the brief of claim 14; 3) provide an English

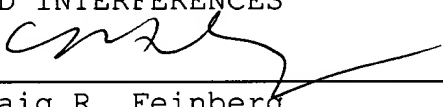
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translation of Sony Corp.; 4) correction of page numbers for prior art, Kuroi and Sze; and 5) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
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By: _____


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